THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.16987 OF 2006

ORDER:

Heard the counsel.

The writ petition is filed for a writ of mandamus declaring the notice under Section 459 of the Hyderabad Municipal Corporation Act vide ref.No.4/D1/P/JP/Ce/MCH/2006 dated 5.8.2006 is quite illegal and arbitrary and opposed to the principles of natural justice and set aside the order of the 1st respondent and pass such order.

The main grievance of the petitioner is that the first respondent did not consider any of the objections raised by him in the reply filed by him dated 7.8.2006. Several factual details had been narrated. No doubt, the Special Deputy Collector, land Acquisition, Hyderabad is shown as second respondent.

In view of the several facts explained, the petitioner is given liberty agitate in relation to the cause of action relating to the Second Respondent if the petitioner is so advised.

As far as the firs respondent is concerned in the facts and circumstances of the case, notice to be treated as show cause notice and the objections raised by the petitioner in reply dated 7.8.2006 to be considered by the first respondent in accordance with law as early as possible and till the decision is taken in this regard not to resort to any demolition activity.

With the above direction, the writ petition is disposed of. No costs.

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14.8.2006.

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.16987 OF 2006

Dated: 14.8.2006